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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FELIPE ROMERO, JOSE PANI,
JUSTINO ROMERO, PLACIDO
ROMERO, JUAN JOSE ROMERO,
IRMA JUAREZ, GERMAN ROMERO,
BULMARO ARENAS, ALTAGRACIA
MERCED AND MARIA CORONA, on
behalf of themselves and all others
similarly situated,

Plaintiffs,

-vs-

FLAUM APPETIZING CORP., MOSHE
GRUDHUT, and "UNKNOWN FLAUM
MANAGERS 1-5"(Names Being
Fictitious),

Defendants.

Civil Action No. 07-cv-7222

CERTIFICATION OF
JOSE PANI ROMERO

I, JOSE PANI ROMERO, hereby say;

1. I am a named plaintiff in this matter and have filed an Election of Plaintiff Status form. A true and correct copy is attached as Exhibit A.
2. I was employed by defendant Flaum Appetizing Corporation from 2006 through February of 2008.

3. Throughout the course of my employment I almost always worked well over 40 hours per week and typically worked between 60 to 80 hours per week, sometimes up to 90 hours per week. Attached as Exhibit B are true and correct copies of some of my time records.
4. I, along with the other employees, was paid an hourly rate.
5. During most of my employment with defendants I worked six days per week, Sunday through Friday.
6. Throughout the course of my employment, I, along with the other hourly employees, punched in a time clock when we arrived and when we left work each day.
7. Throughout the course of my employment, I was not paid overtime wages.
8. Throughout the majority of my employment, I worked as a driver's assistant. As such, we would leave the plant as early as 5:00 am and work until all deliveries were made, sometimes until 1:00 or 2:00 a.m.
9. It was general knowledge that none of the hourly employees received overtime wages despite the fact that all of the hourly employees almost always worked over forty hours per week.
10. From the beginning of my employment until in or around August or September of 2007, my employer did not post a notice stating that the employees had a legal right to be paid overtime for hours worked over 40 per week.
11. The paychecks that I received from my employer did not accurately reflect the number of hours per week that I worked or my hourly rate. I have attached true and correct copies of samples of my paychecks as Exhibit C.